

RESOLUTION NO. 2019- 09

**A RESOLUTION OF THE BOARD OF
COMMISSIONERS OF WARRICK COUNTY, INDIANA
AUTHORIZING SUBMISSION OF PUBLIC FACILITIES
PROGRAM APPLICATION AND LOCAL MATCH COMMITMENT**

WHEREAS, the Board of Commissioners of Warrick County, Indiana recognize the need to stimulate growth and maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government for the elimination and prevention of blight; and

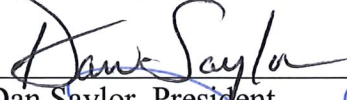
WHEREAS, the Board of Commissioners of Warrick County, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs in order to assess the housing, public facilities, and economic needs of its low-income and moderate-income residents;

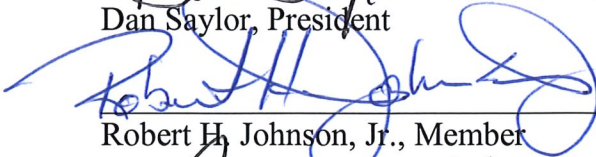
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Warrick County, Indiana as follows:

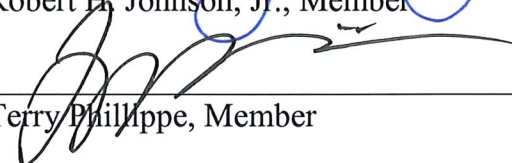
1. The President of the Board of Commissioners of Warrick County, Indiana, is authorized to prepare and submit an application for grant funding to address the historic preservation of the Warrick Historic Jail (located at 124 E. Main Street, Boonville, Indiana), and to execute and administer any resultant grant, including the requisite general administration and project management, contracts, and agreements, pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. Warrick County, Indiana hereby commits the requisite local funds in the amount of One Hundred Sixty-One Thousand Eighty-Seven and 00/100 Dollars (\$161,087.00), in the form of One Hundred Fifty-four Thousand Four Hundred Seventy-six and 00/100 Dollars (\$154,476.00) from the Warrick County Fund 4506 – General Obligation Bond 2018, and Six Thousand Six Hundred Eleven and 00/100 Dollars (\$6,611.00) from Boonville NOW! Inc., as matching funds for said program, with such commitments to be contingent upon receipt of Public Facilities Program funding from the Indiana Office of Community and Rural Affairs.

**Passed and adopted by the Board of Commissioners of Warrick County,
Indiana, this 12th day of November, 2019.**


WARRICK COUNTY
BOARD OF COMMISSIONERS


Dan Saylor, President

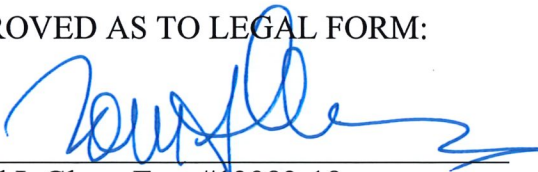

Robert H. Johnson, Jr., Member


Terry Phillippe, Member

ATTEST:


Deborah K. Stevens, Auditor
Warrick County, Indiana


APPROVED AS TO LEGAL FORM:


Todd I. Glass, Esq. #13982-18
FINE & HATFIELD, A Professional Corporation
520 N.W. Second Street, P.O. Box 779
Evansville, Indiana 47705-0779
Telephone: (812) 425-3592
Warrick County Attorney

Legal Counsel

Status of Site Control

As the Legal Counsel, respectively, I hereby certify that the required site control activities have been completed respective to all interests in real property which are related or involved with the commencement and completion of CDBG-assisted activities in accordance with the federal Uniform Relocation and Acquisitions Policies Act of 1970, as amended.



Signature, Applicant's Legal

____ 11-12-19 ____

Date

Counsel Typed Name and Title:

Todd Glass, Esq., County Attorney

Grant Administrator

Application and Signature Certification

As the Lead Applicant's Grant Administrator, I hereby certify that to the best of my knowledge and belief, the information, including any uploads, submitted on the online application is true and accurate, meets with all relevant federal, state, and local laws, regulations, and policies, that above individuals have reviewed and confirmed the information for their respective sections on the online application, and that all the above signatures are authentic.



Signature, Applicant's Grant

____ 11-12-19 ____

Date

Administrator Typed Name and Title:

Debra Bennett Stearsman, GA, EDCSWI

CDBG LEGAL SECTION

The following is a recreation of the wording from the Legal Section of the online CDBG Application. By Submitting a proposal or application the lead applicant is agreeing to this terms.

Civil Rights Certification

The Applicant, any contractor, any subcontractor, or any other party performing any services or having any responsibilities hereunder shall fully and completely comply with the following :

- a) Section 109 of the Housing and Community Development Act of 1974 which requires that no person in the United States shall on the grounds of race, color, national origin or sex, be excluded from the participation in, be denied the benefits of, or be subjected to, discrimination under any program or activity funded in whole or in part with Community Development Block Grant (CDBG) funds.
- b) Shall not, under any program or activity pursuant to this Agreement, directly or through contractual or other arrangements, on the grounds of race, color, national origin, sex, age, handicap status or religion:
 - i. Deny any individual any facilities, services, financial aid or other benefits provided under the program or activity.
 - ii. Provide any facilities, services, financial aid or other benefits in a different form from those provided under the program or activity.
 - iii. Subject any person to segregated or separate treatment in, or in any matter of process related to receipt of any services or benefit under the program or activity.
 - iv. Restrict an individual in any way access to, or the enjoyment of, any advantages or privilege enjoyed by others in connection with facilities, services, financial aid or any other benefits under the program or activity.
 - v. Treat an individual different from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership, or other requirement or condition which the individual must meet in order to be provided any facilities, services or any benefit provided under the program or activity.
 - vi. Deny an individual an opportunity to participate in a program or activity as an employee.
- c) Shall not use criteria or methods of administration which have the effect of subjecting individuals to discrimination on the basis of race, national origin, sex, age, handicap status or religion, or have effect of defeating or substantially impairing the accomplishment of the objectives of the Housing and Community Development Act of 1974, (as amended).
- d) In determining a site or location of housing or facilities shall not make selections of such site or location which have the effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination on the grounds of race, color, national origin, sex, age, handicap status, or religion.

The Applicant in all contracts or agreements subject to Executive Order 11246 shall be subject to HUD Equal Employment Opportunity regulations at 24 CFI Part 135 applicable to HUD assisted construction contracts.

The Applicant shall cause or require to be inserted in full in any non-exempt contract and subcontract for construction work, or modification thereof, as defined in said regulations, which is paid for in whole or in part with assistance provided under this Agreement, the following equal opportunity clause:

The Applicant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or handicap. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising: layoff or termination: rates of pay or other forms of compensation: and selection or training: including apprenticeship. The applicant agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Grantor setting forth the provisions of this nondiscrimination clause.

The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the applicant, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

The Applicant/Contractor will comply with all provisions of Executive Order 11246 of September 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.

The Applicant/Contractor will comply with all provisions of Title VIII, Civil Rights Act of 1968, which prohibits discrimination in the sale of rental dwellings, discrimination in the financing of housing, blockbusting, and discriminatory advertising and makes it unlawful to deny any person access to, or membership or participation in, any multiple listing services or real estate brokers' organization for discriminatory reasons.

The Applicant/Contractor will comply with Section 3 Housing and Urban Development Act of 1968, Section 504: Rehabilitation Act of 1974, Executive Order 11063 and all other Federal Rules and Regulations.

The Applicant will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules and regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Department and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

In the event of the Applicant's noncompliance with the nondiscrimination clauses of an executed agreement or with any such rules, regulations, or orders, this agreement may be canceled, terminated or suspended in whole or in part and the applicant may be declared ineligible for further government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965 or by rule, regulation, or order of the Secretary of Labor.

The Applicant shall require that the language referred to in this certification be included in the award documents for all sub-awards at all tiers (including sub-contract, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Event and Signage Guidelines

Upon award of an Indiana Office of Community and Rural Affairs (OCRA) grant, the grantee is responsible for recognizing the funder(s) on signage and to include OCRA representation in any celebratory event(s) relating to the project.

Event(s):

There is a minimum of one event required per project award. These events may include, but are not limited to, a ground breaking or ribbon cutting ceremony.

1. GENERAL GUIDELINES:

- a. An event to celebrate and promote the project should be conducted. The event may be to kick off, complete, engage the community, etc. These events are often referred to as ground breaking or ribbon cutting ceremonies or something of similar nature.

- b. The event shall be scheduled with OCRA. OCRA agrees to have a representative there barring any unforeseen circumstances.
- c. A minimum of one month notice of the event shall be provided to the community's Community Liaison at which time they will provide you with an Event Sheet. You will be notified of the name or names of the OCRA staff who will be present.
- d. Any necessary quotes needed for local media will be coordinated through OCRA's Communications Manager.
- e. Photos taken during the event shall be shared with OCRA. OCRA may use those photos as deemed appropriate.

Signage:

Any temporary or permanent signage will include acknowledgement of the Office of Community and Rural Affairs' (OCRA) and Department of Housing and Urban Development's (HUD) contribution to the project.

2. GENERAL GUIDELINES:

- a. Proposed design plan(s) shall be submitted along with a description for its reasoning to the OCRA Communication Manager for final approval.
- b. Should be mounted on prominent vertical surface or eye-level horizontal surface
- c. Should be mounted surface or flush mount on walls, and flush on walkways
- d. Should be incorporated into or attached to a permanent surface within the project
- e. Each plaque shall exhibit consistency with and reflect the architectural integrity of the project/building
- f. Complimentary mediums created in a manner that is complementary to the finished design may be approved by the OCRA Communication Manager.

3. SIZE:

- g. The width of the logo should be proportionate to the height, and the logo should not appear distorted. The size at which the logo is used must be proportionate to the size of the materials you are producing, to make sure it's clear and easy to read.

4. MATERIAL:

- h. May be raised, engraved or etched panel of stone, wood, glass or metal (other materials to be approved by OCRA prior to construction)

5. ELEMENTS:

- i. Minimum 3/4" text height
- j. If other logos are included, include an image of the OCRA logo
- k. The inclusion of the following approved language:
 - i. Brought to you by the Office of Community and Rural Affairs (OCRA)
 - ii. Thank you to the Office of Community and Rural Affairs (OCRA)
 - iii. Brought to you in partnership with the Office of Community and Rural Affairs (OCRA)
- l. Other partners should be listed or noted

6. EXCEPTIONS:

- m. NON-VISIBLE INFRASTRUCTURE PROJECTS (wastewater, stormwater, etc.): Please include reference to award in mailing or billing.
 - iv. EX: "You are saving \$5.91 per month on your water bill thanks to funding provided by the Office of Community and Rural Affairs (OCRA) and the Department of Housing and Urban Development (HUD)."

7. MAINTENANCE

- n. The maintenance of the approved funding acknowledgement is the obligation of the community. The community must ensure the funding acknowledgement continues to be legible.
8. DISCLAIMER:
- o. OCRA has the option to require the removal of the signage at any time. Written notice will be provided by OCRA if removal is required.

Assurances and Certifications

Definitions:

"Applicant" refers to an eligible unit of local government.

"HUD" refers to the United States Department of Housing and Urban Development.

"OCRA" refers to the Indiana Office of Community and Rural Affairs, an agency of the State of Indiana.

"State" refers to the State of Indiana.

The applicant hereby assures and certifies that:

- (a) It possesses legal authority to apply for the grant, and to complete the proposed activities.
- (b) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing submission of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (c) It has facilitated or will facilitate citizen participation by:
 - 1) Publishing a statement of proposed activities so that affected citizens have an opportunity to submit comments on the proposed activities of the applicant;
 - 2) Providing adequate notices for two or more public hearings, specifically to persons of low- and moderate-income;
 - 3) Holding two or more public hearings on the proposed application at times and locations convenient to potential beneficiaries, accessible to the handicapped, and that meet the needs of non-English speaking residents, if appropriate, to obtain citizens' views before adoption of resolution or similar action by the local governing body authorizing the submission of the application;
 - 4) Providing citizens information concerning the amount of funds available for proposed community development activities and the range of activities within the project;
 - 5) Providing citizens with information concerning the amount of funds that will benefit persons of low- and moderate-income;
 - 6) Furnishing citizens with the plans made to minimize the displacement of persons and to assist persons actually displaced as a result of grant activities;
 - 7) Providing technical assistance to groups representing persons of low- and moderate-income requesting such assistance in developing proposals;
 - 8) Providing citizens with reasonable notice of substantial changes proposed in the use of grant funds and providing opportunity for public comment;
 - 9) Providing citizens with reasonable access to records regarding the past use of Community Development Block Grant (CDBG) funds received; and
 - 10) Any modifications or amendments to the project will be made in accordance with the same procedures required in (c) for the preparation and submission of a statement of proposed activities.
- (d) It has identified housing and community development needs, including those of low- and moderate-income persons and the activities to be undertaken to meet such needs.

- (e) The CDBG program has been developed so as to give maximum feasible priority to activities that will benefit low- and moderate-income families, or aid in the prevention or elimination of slums or blight.

[The requirement for this certification will not preclude the Indiana Office of Community and Rural Affairs from approving an application where the applicant certifies, and the Indiana Office of Community and Rural Affairs determines, that all or part of the Community Development Block Grant Program activities are designed to meet other community development needs having a particular urgency as specifically explained in the application.]

- (f) It will minimize displacement of persons and provide for reasonable benefits to any person involuntarily and permanently displaced as a result of activities associated with program funds.
- (g) It will not attempt to recover any capital costs of public improvements assisted in whole or part with CDBG funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (I) CDBG funds received are used to pay the proportion of such fee or assessment that relates to the capital costs of public improvements that are financed from revenue sources other than CDBG funds; or (II) for purposes of assisting any amount against properties owned and occupied by persons of low- and moderate-income who are not persons of very low income, the applicant certified to the Secretary or such State, as the case may be, that it lacks sufficient funds received from CDBG Program to comply with the requirements of clause.
- (h) It will comply with all requirements imposed by the State concerning special requirements of law, program requirements, and other administrative rules, including the provision that project completion be no longer than eighteen (18) months from project startup, inclusive of the bid process for professional and engineering services as well as program close-out. In addition, said provision includes an assurance of the availability of project funds, both local and private, upon award of the grant.
- (i) It will comply with:
- 1) Section 110 of the Housing and Community Development Act of 1974, as amended, by the Housing and Urban-Rural Recovery Act of 1983 and the Housing and Community Development Act of 1987, 24 CFR 570.603, and State regulations regarding the administration and enforcement of labor standards;
 - 2) The provisions of the Davis-Bacon Act (46 U.S.C. § 276a-5) with respect to prevailing wage rates (except for projects for rehabilitation of residential properties of fewer than eight units);
 - 3) Contract Work Hours and Safety Standards Act of 1962, 40 U.S.C. 327-332, requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty in a work-week, and
 - 4) Federal Fair Labor Standards Act, 29 U.S.C. § 102 et seq., requiring that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work-week; and
 - 5) Anti-kickback (Copeland) Act of 1934, 18 U.S.C. § 874 and 40 U.S.C. § 276c, which outlaws and prescribes penalties for "kickbacks" of wages in federally financed or assisted construction activities.
- (j) It will comply with:
- 1) Title VI of the Civil Rights Act of 1964 (Public Law 88-352), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United State shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the applicant received Federal financial assistance and will immediately take any measures necessary to

effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits;

- 2) The Fair Housing Act (previously known as Title VIII of the Civil Rights Act of 1968) (Public Law 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
 - 3) Section 109 of Title I of the Housing and Community Development Act of 1987, as amended, and the regulations issued pursuant thereto (24 CFR 570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to otherwise qualified handicapped individuals as provided in Section 504 of the Rehabilitation Act of 1973 shall also apply to any such program activity;
 - 4) Executive Order 11063, as amended by Executive Order 12259 on equal opportunity in housing and non-discrimination in the sale or rental of housing built with Federal assistance, and requiring that programs and activities relating to housing and urban development be administered in a manner affirmatively to further the goals of Title VIII of the Civil Rights Act of 1968; and
 - 5) Executive Order 11246 as amended by Executive Order 11375 and 12086, and the regulations issued pursuant hereto (24 CFR Part 6), the Indiana Code (I.C. 22-9-1-10), which provides that no person shall be discriminated against on the basis of race, religion, color, sex, disability, national origin or ancestry in all phases of employment during the performance of Federal or federally assisted construction contracts. Contractors and subcontractors on Federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training and apprenticeship.
- (k) It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing within the unit of local government.
- (l) It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Federal implementing regulation at 49 CFR Part 24, and the requirements of section 24 CFR Part 570.488 and it is following a residential anti-displacement and relocation assistance plan under section 104(d) of Title I of the Housing & Community Development Act of 1974, as amended.
- (m) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
- (n) It will comply with the provisions of the Hatch Act, which limits the political activity of employees.
- (o) It will give the State, HUD and the Comptroller General through any authorized representatives, access to and the right to examine all records, books, papers, or documents related to the grant and project activities.

- (p) Its chief executive officer or other officer of applicant approved by the Office of Community and Rural Affairs:
- 1) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. S 4321 et seq.) and other provisions of Federal law, as specified at 24 CFR 58.1(b)(1), which further the purposes of NEPA insofar as the provisions of such Federal law apply to the CDBG Program; and
 - 2) Is authorized and consents on behalf of the applicant and himself/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official.
- (q) It will comply with:
- 1) The National Environmental Policy Act of 1969 (42 U.S.C. S 4321 et seq.) and 24 CFR Part 58, and in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470), Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (U.S.C. 469a-1, et seq.):
 - a) By consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the proposed activity; and
 - b) By complying with all requirements established by the State and to avoid or mitigate adverse effects upon such properties.
 - 2) Executive Order 11988, Floodplain Management;
 - 3) Executive Order 11990, Protection of Wetlands;
 - 4) Endangered Species Act of 1973, as amended, (16 U.S.C. Section 1531 et seq.);
 - 5) The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. Section 661 et seq.);
 - 6) The Wild and Scenic Rivers Act of 1968, as amended, (16 U.S.C. Section 1271);
 - 7) The Safe Drinking Water Act of 1974, as amended, (42 U.S.C. Section 300f et seq.);
 - 8) Section 401(f) of the Lead-Based Paint Poisoning Prevention Act, as amended, (42 U.S.C. Section 4831 (b));
 - 9) The Clean Air Act of 1970, as amended, (42 U.S.C. Section 7401 et seq.);
 - 10) The Federal Water Pollution Control Act of 1972, as amended, (33 U.S.C. Section 1251 et seq.);
 - 11) The Clean Water Act of 1977 (Public Law 95-217); and
 - 12) The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et. seq.);
 - 13) Section 202(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) as it relates to the mandatory purchase of flood insurance for special flood hazard areas.
- (r) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.
- (s) It will abide by the provisions of 24 CFR 570.611 that no member, officer, or employee of the grantee or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercise any functions or responsibilities with respect to the project during the duration of the project and for one year thereafter shall have any direct or indirect interest in any contract, subcontract, or the proceeds thereof, financed in whole or in part with CDBG funds.
- (t) It agrees to repay to the State of Indiana any funds under this program which, as the result of a HUD or State of Indiana authorized audit, are found to have been spent in an unauthorized manner or for unauthorized activities.
- (u) It certifies that none of the funds being applied for will be used to supplant any local, state, federal or private dollars that have been committed to the project as proposed in this application.

- (v) It certifies that it has adopted and will enforce a policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction (Section 104(l) of Title I of the Housing & Community Development Act of 1974, as amended).
- (w) It certifies that pursuant to 31 U.S.C. § 1352, and any regulations promulgated thereunder:
 - 1) no federal appropriated funds have been paid or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - 2) if any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the proposed Federal contract, grant, loan, or cooperative agreement, the applicant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
 - 3) The applicant shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 12/31/2015)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report ☒

or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code):

Warrick County Commissioners, 107 W Locust, Suite 302, Boonville, Warrick County,
Indiana 47601

2. Social Security Number or
Employer ID Number:

35-6000210

3. HUD Program Name

CDBG Competitive Funds Administered by Indiana Office of Community & Rural Affairs

4. Amount of HUD Assistance
Requested/Received

500,000

5. State the name and location (street address, City and State) of the project or activity:

124 E Main Street, Boonville, Warrick County, Indiana

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).

☐ Yes

☒ No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9

☒ Yes

☐ No.

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form.

However, you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

| Department/State/Local Agency Name and Address | Type of Assistance | Amount Requested/Provided | Expected Uses of the Funds |
|--|--------------------|------------------------------|----------------------------|
| Warrick County Commissioners | Local Match | 161,087.00 | Adm., Arch., Construction |

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

| Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first) | Social Security No. or Employee ID No. | Type of Participation in Project/Activity | Financial Interest in Project/Activity (\$ and %) |
|--|---|--|--|
| Unknown at this time. | | | |

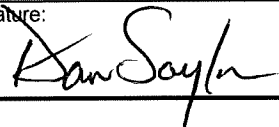
(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:

x 

Date: (mm/dd/yyyy)

11-12--19

Public reporting burden for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is voluntary. HUD is authorized to collect this information under the Housing and Community Development Act of 1987 42 U.S.C. 3543 (a). The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions

Overview.

A. Coverage. You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity **and** you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

B. Update reports (filed by "Recipients" of HUD Assistance):

General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

Line-by-Line Instructions.

Applicant/Recipient Information.

All applicants for HUD competitive assistance, must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. **NOTE:** In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to **either** questions 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

Part II. Other Government Assistance and Expected Sources and Uses of Funds.

A. Other Government Assistance. This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).
4. Uses of funds. Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

B. Non-Government Assistance. Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD **and any other source** - that have been or are to be, made available for the project or activity. Non-government sources of

funds typically include (but are not limited to) foundations and private contributors.

Part III. Interested Parties.

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need

not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

Notes:

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

CDBG Signature Page

This page is required to be uploaded with the online submission of a CDBG application.

| | |
|----------------|-----------------------------|
| Lead Applicant | Warrick County |
| Program | PFP - Historic Preservation |
| Round | Round 2 |

Chief Elected Official

Readiness to Proceed Certification

The Lead Applicant submits this certification to the Indiana Office of Community and Rural Affairs, hereinafter referred to as "OCRA" respective to the Applicant's application to OCRA for federal Community Development Block Grant (CDBG) funding. This certification is submitted to OCRA to assure that the Applicant has attained sufficient readiness in order to complete the subject project within eighteen (18) months after award of the CDBG grant by OCRA. The Applicant warrants that the project will be completed within eighteen (18) months following CDBG grant award, and herein indicates the level of readiness-to-proceed respective to the following areas:

- * Project Financing
- * Completion of required environmental review process
- * Project engineering and/or architectural services
- * Control of all interests in real property necessary to complete the project (site control)
- * Obtaining necessary local, state and federal permits to complete the project

Project Financing

As Chief Elected Official (CEO) of the Lead Applicant, I hereby certify that all non-CDBG sources of funding necessary to carry out the project as listed in the project application have been secured and are available for expenditure immediately upon full execution of the CDBG grant agreement between Applicant and OCRA, and subsequent release of funds by OCRA. I further certify that all such project matching funds will be placed into, and disbursed from, a separate special fund in accordance with IC 36-1-8-12, as amended by House Enrolled Act 1542 of the Acts of the 1997 General Assembly. Pertinent comments respective to this certification are indicated below.

Status of Required Environmental Review Process

As Chief Elected Official (CEO) of the Lead Applicant, I hereby certify that the subject project activity will require the type of environmental review listed within the online application respective to 24 CFR Part 58.

Project Engineering and/or Architectural Services

As Chief Elected Official (CEO) of the Lead Applicant, I hereby certify that all preliminary architectural and/or engineering services necessary to complete the environmental review process have been completed and the Lead Applicant is prepared to immediately proceed with final architectural and/or engineering services upon award of the CDBG grant by OCRA.

Status of Permits

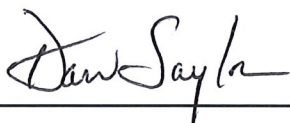
As Chief Elected Official of the Lead Applicant, I hereby certify that all local, state and federal permits necessary to complete the project have been listed in the CDBG application document and such permits may be secured in sufficient time for the Applicant to complete the project within eighteen (18) months following grant award.

Legal Certifications and Assurances

As Chief Elected Official of the Lead Applicant, I hereby certify that to the best of my knowledge and belief, the Lead Applicant will comply with the Civil Rights Certification, the Events and Signage Guidelines, and the Assurances and Certifications outlined in the Legal section of the online application if funded. (Note: A recreation of the Legal section can be found on at <https://www.in.gov/ocra/cdbg.htm>.)

Authorization of Submission

As Chief Elected Official of the Lead Applicant, I certify that submission of the online application has been duly authorized by the governing body of the lead applicant; that the Lead Applicant has the legal capacity to carry out the proposed project; that the proposed project is designed to meet the identified housing and community development needs of the community, including those of low- and moderate-income persons; and that the proposed project will minimize the need for displacement of businesses and families and provide reasonable benefits for those displaced. I also certify that the proposed project will be completed within eighteen (18) months of award, if funded.



____ 11-12-19 ____

Signature, Chief Elected Official Typed Name and

Date

Title: Dan Saylor, Commission President

Professional Engineer or Architect

Status of Site Control

As the Applicant's Professional Engineer or Architect, respectively, I hereby certify that the required site control activities have been completed respective to all interests in real property which are related or involved with the commencement and completion of CDBG-assisted activities in accordance with the federal Uniform Relocation and Acquisitions Policies Act of 1970, as amended.

Status of Permits

As the Lead Applicant Professional Engineer or Architect, I hereby affirm the Chief Elected Official's certification that all local, state and federal permits necessary to complete the project have been listed in the CDBG application document and such permits may be secured in sufficient time for the Applicant to complete the project within eighteen (18) months following grant award.



____ 11-12-19 ____

Signature, Applicant's Professional Engineer or Architect

Date

Typed Name and Title: David Wills, AIA, LEED AP

November 12, 2019

Eric Ogle
CDBG Program Director
Office of Community and Rural Affairs
One North Capital, Suite 600
Indianapolis, IN 46204-2027

RE: Warrick County Jail Historic Preservation – Public Facilities Program

Dear Mr. Ogle:

On behalf of Warrick County, the Economic Development Coalition of Southwest Indiana is hereby authorized to conduct any and all necessary public hearings concerning the proposed Public Facilities Program (PFP) project with the Indiana Office of Community and Rural Affairs. In addition, the Coalition shall publish and post all necessary hearing notices and is further authorized to record any and all minutes of such public hearings. Said notices and minutes may be used where necessary in conjunction with the application to IOCRA.

Thank you for your consideration of this important community development project.

Sincerely,

A handwritten signature in black ink that reads "Dan Saylor". The signature is written in a cursive, flowing style.

Dan Saylor
President, Warrick County Commissioners

Cc: Economic Development Coalition of Southwest Indiana

Federal Funding Accountability And Transparency Act Certification

On behalf of and as a duly authorized agent and representative of:

Warrick County
(Name of City, Town or County)

This is to certify that the legal entity identified above, which corresponds to the DUNS number previously provided,

☐ Did receive 80% or more of its annual gross revenues in U. S. federal contracts, subcontracts, loans, grants, sub grants, and/or cooperative agreements; or

☒ Did not receive 80% or more of its annual gross revenues in U. S. federal contracts, subcontracts, loans, grants, sub grants, and/or cooperative agreements; and

AND

☐ Did receive \$25,000,000 or more in annual gross revenues from U. S. federal contracts, subcontracts, loans, grants, sub grants and/or cooperative agreements; or

☒ Did not receive \$25,000,000 or more in annual gross revenues from U. S. federal contracts, subcontracts, loans, grants, sub grants and/or cooperative agreements.

I certify to the best of my knowledge that the above information is correct.

Dan Saylor
Signature, Chief Elected Official

Dan Saylor
Printed Name of Chief Elected Official

11-12-19
Date Signed

Commission President
Title of Chief Elected Official